

## Principles of a good investigation

These are the key principles the GMC believe help to ensure that investigations into concerns about doctors are objective and effective. They are intended to supplement and complement existing requirements and guidance in place at a national level.

Organisations might find it useful to assess their policies and procedures against these principles, identifying opportunities to make changes to improve how they run investigations. Applying these principles across the health sector will help protect patients and uphold confidence in the profession.

Principle	Description	Questions to ask yourself
<b>1. It's best for everyone if concerns can be dealt with locally, and escalated promptly where necessary.</b>	It is better for all involved if concerns can be dealt with locally, ensuring faster, focussed and fair resolution. If there is an immediate or serious potential risk to patient safety or public confidence in the profession, a referral to the regulator can be made at any stage of an investigation and interim measures to mitigate this put in place. (Advice on thresholds for referral to the GMC should be sought from the Employer Liaison Service).	How does your organisation ensure concerns are consistently and effectively escalated for discussion with the GMC Employer Liaison Adviser (ELA) where there are emerging concerns that could put at risk patients or public confidence in doctors?

<p><b>2. Concerns can be explored before commencing a formal investigation if decisions are subject to clear, transparent criteria and the two stages are clearly defined.</b></p>	<p>A decision to investigate concerns about a doctor, and how to investigate those concerns, should be made in accordance with clear, transparent criteria.</p> <p>There should be a clear boundary between an initial stage of exploring concerns and any subsequent formal investigation, supported by a transparent decision making process.</p>	<p>How does your organisation ensure there are clear, transparent criteria for investigating concerns including any initial stage before a formal investigation?</p>
<p><b>3. Investigations should have a clear scope and follow a clear process.</b></p>	<p>Investigations must be conducted within an appropriate governance system, and reflect the approach of relevant national frameworks.</p> <p>Relevant policies and procedures should be kept up-to-date to reflect changes in legislation and best practice.</p> <p>An investigation plan with a clear terms of reference must be produced, and this should set out the scope of a formal investigation and clearly identify all relevant issues.</p>	<p>How does your organisation ensure investigations have terms of reference setting out the scope of a formal investigation and an investigation plan to clearly identify all relevant issues?</p>
<p><b>4. Investigators should be objective, properly trained and receive appropriate support and guidance.</b></p>	<p>Investigators should be properly trained, receive appropriate support and guidance and be objective in their approach to exploring any concerns and establishing the facts.</p> <p>Where possible they should be independent of the environment in which concerns arose to ensure fairness for all involved and to minimise the risk of actual or perceived conflict of interest. We recognise that in some contexts this may be difficult (e.g small doctor surgeries with limited staff) and, in these circumstances, alternative arrangements (eg investigation to be undertaken by</p>	<p>How does your organisation ensure investigators are objective and have appropriate guidance, support and training?</p>

	staff from another practice) or other mechanisms to secure objectivity should be explored.	
<b>5. Doctors under investigation should be given information to help them understand what is happening, what is expected of them, and where to access independent advice.</b>	<p>To ensure fairness and transparency, anyone who is the subject of a formal investigation should be promptly informed and provided with a copy of the terms of reference for the investigation, contact details for those undertaking the investigation and signposted to sources of independent advice. There may be exceptional circumstances where this is not appropriate for example due to concerns that a police investigation may be compromised.</p> <p>Steps should be taken to mitigate the risk of unfairness to doctors who do not have access to legal advice or other representation.</p>	How does your organisation ensure that doctors under investigation are informed about what is happening?
<b>6. Information about an investigation should be kept securely and handled under a fair, transparent and proportionate disclosure policy which balances the need to assure patient safety, treat sensitive information in confidence and keep relevant parties informed of progress.</b>	<p>Information must be handled in line with the requirements of relevant data protection legislation.</p> <p>Relevant parties may include the doctor under investigation and other colleagues such as senior staff involved in assessing risk to patient safety, the complainant and witnesses. Appropriate updates should also be shared with patients whose quality of care is the subject of concerns, and the relatives and carers of those unable to represent themselves (this may include patients with diminished capacity, children and the deceased).</p>	How does your organisation ensure information about investigations is kept and handled under a clear and transparent disclosure policy?

<p><b>7. Relevant evidence must be identified, collected and efforts made to triangulate information.</b></p>	<p>All relevant witnesses must be identified, thoroughly interviewed, appropriate records made, statements taken and consent considered/sought (as appropriate) for use of information. Where potential witnesses decide to leave employment during the course of an investigation, efforts should be made to take a statement and keep in touch with them to ensure concerns can be fully explored.</p> <p>The original documents relating to concerns should always be retained.</p>	<p>How does your organisation ensure all relevant evidence is identified and collected to support the full scope of the investigation?</p>
<p><b>8. Independent expert opinion should be obtained where concerns relate to specialist matters.</b></p>	<p>Where there are relevant performance concerns, a review of the clinical care/actions should be sought from an independent source that has the necessary understanding of the area(s) of clinical practice.</p> <p>In cases involving health issues which may impact on a doctor's fitness to practise, a referral to an occupational health professional or other independent expert should be offered at an early stage to provide an objective assessment.</p>	<p>How does your organisation ensure that an expert giving opinion on clinical care has an appropriate understanding of the area of clinical practice and is independent?</p>
<p><b>9. The facts established by the investigation should be summarised in a clear, accurate report.</b></p>	<p>The report should reflect the terms of reference of the investigation, outline the issues which were investigated and the evidence collected including any response from the doctor under investigation.</p>	<p>How does your organisation ensure the facts and outcome of an investigation are summarised in a clear, accurate report?</p>

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<b>10. The outcome, recommendations and decisions following an investigation should be summarised in a concise, accurate report which demonstrates that an open and fair approach has been taken.</b>	<p>Recommendations and decisions at the outcome of an investigation should be supported by clear and objective reasoning that is based solely on the facts and evidence gathered and reflects clear criteria. They should also take into account any relevant context such as mitigating or aggravating factors.</p> <p>The action taken as a result of an investigation should be communicated to all relevant parties without disclosing any sensitive personal information such as the doctor's health unless consent or another legal basis for sharing the information is established.</p>	How does your organisation ensure the facts and outcome of an investigation are summarised in a clear, accurate report?
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